

The Honorable Franklin D. Burgess

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	No. CR06-5488FDB
)	
vs.)	
)	ORDER CONTINUING
MICHAEL ANTHONY WILSON,)	DUE DATE FOR
)	PRE-TRIAL MOTIONS
Defendant.)	
_____)	

Before this court is a stipulated motion for continuance of the due date of the pre-trial motions which are presently scheduled for August 21, 2006. The defendant requires additional time to prepare his motions, and to receive and review discovery.

A continuance is also necessary due to the fact that defense counsel will be out of town from August 12, 2006 through August 27, 2006. Additionally, the parties may seek to resolve the matter and need additional time to do so.

Assistant United States Attorney, Greg Gruber, has no objection and stipulates to the continuance request.

ORDER CONTINUING DUE DATE FOR PRE-TRIAL MOTIONS - 1

LAW OFFICES OF
MONTE E. HESTER, INC., P.S.
1008 SOUTH YAKIMA AVENUE, SUITE 302
TACOMA, WASHINGTON 98405
(253) 272-2157

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2 That the court finds, after a consideration of all relevant information and
3 the circumstances of this case, that without this continuance the defendant will be
4 prejudiced and the ability to properly prepare for trial would be impaired. Failure to
5 grant a continuance under these circumstances would result in a miscarriage of justice.
6 The ends of justice would best be served by the granting of the motion for continuance to
7 ensure continuity of counsel and adequate trial preparation. The ends of justice outweigh
8 the best interests of the public and the defendant in having the matter brought to trial
9 sooner.

10 For these reasons, the court finds the defendant's motion for continuance
11 should be granted.

12 The motion cut-off date scheduled for August 21, 2006 is VACATED.
13 Motion cut-off shall be RESCHEDULED TO September 7, 2006.

14 IT IS SO ORDERED.

15 DONE this 16th day of August, 2006.

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19 FRANKLIN D. BURGESS
20 UNITED STATES DISTRICT JUDGE
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2 Presented by:

3 LAW OFFICES OF MONTE E.

4 HESTER, INC., P.S.

5 Attorneys for Michael Wilson

6 By: _____/s

7 Lance M. Hester

8 Approved by:

9 UNITED STATES ATTORNEY'S OFFICE

10 By: _____/telephonically approved 8/4/06

11 Gregory A. Gruber

12 Assistant United States Attorney

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ORDER CONTINUING DUE DATE FOR PRE-
TRIAL MOTIONS - 3

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